

REMARKS

This amendment and Remarks are filed in response to the Office Action dated June 1, 2008 wherein pending claims are claims 31-43.

Information Disclosure Statement

Examiner submits that an Information Disclosure Statement (IDS) filed on January 14, 2008 that requested consideration of documents on an attached European Search Report have not been considered since the European Search Report was not attached, and the IDS did not contain form PTO-1449 listing the documents.

Applicants respectfully submit that not only did they submit the European Supplementary Search Report but also copies of references cited therein as evidenced by the stamped postcard (copy attached) received from the Patent Office on January 17, 2008.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Examiner rejects claims 31-43 under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Specifically, Examiner rejects Claim 31 where in steps e) and f), is unclear as to which previous step contains "said seeded support matrix". In line 3 of step d) and line 1 of step e), it is suggested --- from step c) --- be inserted after "matrix".

Applicants appreciate Examiner's suggestions and amended claim 31 accordingly.

Examiner further rejects claim 33, line 10, as being unclear as to meaning of "thiol cross-linked with methylated collagen". Thiol is a group and not a material, and it is not seen how thiol alone can be cross-linked.

Applicants amended claim 33.

Additionally, Examiner argues that the claim 33 is unclear in lines 9-10 whether the 4-armed polyethylene glycol is to be derivatized with both the succinimidyl ester and the thiol cross-linked with methylated collagen at the same time or alternatively, or the thiol cross-linked with methylated collagen is a separate member of the Markush group. It is suggested "thiol cross-linked with methylated collagen" be deleted unless its meaning and relationship to the 4-armed polyethylene glycol can be made clear.

Applicants amended claim 33, lines 9 and 10 to make the claim more clear.

Examiner further request that claim 33 from line 9 on different members of the group be separated by semicolons and not by colons, as seen after line 9.

Applicants amended claim 33 to correct this error.

Examiner further rejects claim 34, lines 2-3. Claim 34 is dependent on claim 33, and Examiner finds the language "derivatized polyethylene glycol cross-linked with alkylated collagen wherein the alkylated collagen is methylated collagen" confusing since claim 33 has been amended to recite "derivatized polyethylene glycol cross-linked with methylated collagen". Examiner suggests that in line 3 of claim 34, the language "alkylated collagen wherein the alkylated collagen is" of the claim 34 is deleted.

Applicants amended the claim 34 accordingly.

Finally, Claim 43 is deemed to be unclear because "said pressure" in line 1 could be the "constant" pressure or the "cyclic hydrostatic pressure" in claim 31. It is suggested --- cyclic hydrostatic --- be inserted after "said" in line 1.

Applicants amended claim 43 to specifically refer to the cyclic hydrostatic pressure.

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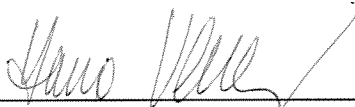
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SUMMARY

In summary, claims 31-43 are amended as required by the Examiner. It is submitted that with this amendment, all claims are in conditions for allowance. Notice of Allowance is respectfully requested.

Respectfully submitted,

Date: September 11, 2008

  
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